

## HOUSE JOINT RESOLUTIONS

### HOME RULE CITIES—LONGER TERM OF OFFICE

H. J. R. No. 48

Proposing an amendment to the Constitution of the State of Texas providing that a home rule city may provide by Charter Provision and a general law city operating under the general laws may provide by majority vote of the qualified voters voting at an election called for that purpose, for a longer term of office than two (2) years for its officers, both elective and appointive, but not to exceed four (4) years; provided, however, that tenure under Civil Service shall not be affected hereby; providing for an election, a form of ballot and the issuance of a proclamation therefor.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Article XI of the Constitution of the State of Texas be amended by adding thereto a new section to be known as Section 11 of Article XI and to read as follows:

"Section 11. A Home Rule City may provide by charter or charter amendment, and a city, town or village operating under the general laws may provide by majority vote of the qualified voters voting at an election called for that purpose, for a longer term of office than two (2) years for its officers, either elective or appointive, or both, but not to exceed four (4) years; provided, however, that tenure under Civil Service shall not be affected hereby.

"Provided, however, if any of such officers, elective or appointive, shall announce their candidacy, or shall in fact become a candidate, in any general, special or primary election, for any office of profit or trust under the laws of this State or the United States other than the office then held, at any time when the unexpired term of the office then held shall exceed one (1) year, such announcement or such candidacy shall constitute an automatic resignation of the office then held, and the vacancy thereby created shall be filled pursuant to law in the same manner as other vacancies for such office are filled.

"A municipality so providing a term exceeding two (2) years but not exceeding four (4) years for any of its non-civil service officers must elect all of the members of its governing body by majority vote of the qualified voters in such municipality, and any vacancy or vacancies occurring on such governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occur."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at the General Election to be held on the first Tuesday after the first Monday in November, 1958, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment providing that a Home Rule City may provide by charter or charter amendment, and a city, town or village operating under the general laws may provide by majority vote of the qualified voters voting at an election called for that purpose, for a longer term of office than two (2) years for its officers, either elective or appointive, or both, but not to exceed four (4) years; provided, however, that tenure under Civil Service shall not be affected hereby. And providing for automatic resignation when such officers become a candidate for election to another office and providing for election of members of the governing body of such municipalities and the filling of vacancies occurring on such governing body by special election."

"AGAINST the Constitutional Amendment providing that a Home Rule City may provide by charter or charter amendment, and a city, town or

## PROPOSED CONSTITUTIONAL AMENDMENTS

village operating under the general laws may provide by majority vote of the qualified voters voting at an election called for that purpose, for a longer term of office than two (2) years for its officers, either elective or appointive, or both, but not to exceed four (4) years; provided, however, that tenure under Civil Service shall not be affected hereby. And providing for automatic resignation when such officers become a candidate for election to another office and providing for election of members of the governing body of such municipalities and the filling of vacancies occurring on such governing body by special election."

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State.

Adopted by the House, May 14, 1957: Yeas 104, Nays 21; passed by the

Senate, May 21, 1957: Yeas 26, Nays 4.

Approved June 6, 1957.

Filed with the Secretary of State, June 10, 1957.

To be voted at election held Nov. 4, 1958.